



Construction Management, Inc.

600 Wilshire Blvd. / Suite 870
Los Angeles, CA 90017
TEL 213-627-7371
FAX 213-683-9710
www.vanir.com

August 26, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: Vanir Construction Management, Inc.
John Kuprenas, Vice President
Robert Nash, Project Manager
Candyce Roberts, Project Manager

Subject: **REPORT ON ADDITIONAL CAPITAL COSTS AND BEDS NEEDED IF TIME SERVED BY INMATES WAS INCREASED TO 50, 60, 70 OR 75 PERCENT OF THEIR SENTENCES; AND THE NUMBER OF BEDS NEEDED FOR THE COUNTY TO MEET THE FEDERAL MANDATE TO THE STATE OF 137 PERCENT FOR EACH FACILITY**

At the July 16, 2013 Board meeting, Vanir presented the Los Angeles County Jail Plan Independent Review and Comprehensive Report, Final Report dated July 5, 2013 for your consideration. At the meeting, your Board accepted the report and requested Vanir to report back on the additional capital costs and beds needed if the time served by inmates was increased to 50, 60, 70 and 75 percent of their sentences; and the number of beds needed for the County to meet the Federal mandate to the State of 137 percent for each facility.

This report functions as an extension of the original Los Angeles County Jail Plan Independent Review and Comprehensive Report. This report expands and builds on information contained in the Comprehensive Report accepted by your Board to address the two requests discussed above.

CAPITAL COST AND NUMBER OF BEDS NEEDED TO INCREASE PERCENTAGE OF TIME SERVED FOR TRADITIONAL COUNTY INMATES

Background

The County Jail System is comprised of five primary groups; Pre-adjudicated inmates, AB 109 N3 inmates, Traditional County Sentenced inmates, State Prison Holds and Parole Revocations. Of these five groups, the LASD has been releasing Traditional County Sentenced



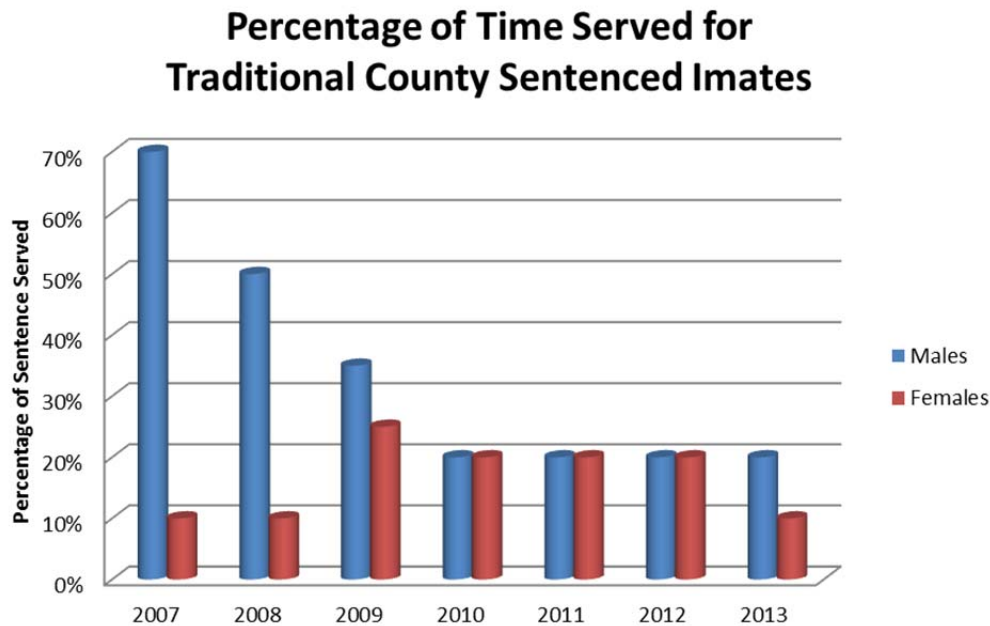
(TCS) inmates at some percentage less than their full sentence as a tool to manage the overall number of inmates in the County Jail System.

History

The Sheriff's Department first implemented a Percentage Release Program in response to United States District Judge William P. Gray's court order that mandated the County's jail system be "operated constitutionally at their appropriate capacity." Judge Gray authorized the Sheriff to release inmates early to reduce jail overcrowding and comply with his Federal order.

The Sheriff uses the Percentage Release Program to control the overall number of inmates within the jail system and to align the number of inmates with the facilities available. Most often the Sheriff's need to control the number of inmates is a function of the Department's ability to staff the jail facilities as opposed to the total number of beds within the system. Only Traditional County Sentenced Inmates (those typically sentenced to less than one year and traditionally served in County jail as opposed to State prison) are included in the Percentage Release Program.

The current Percentage Release Program operated by the Sheriff was re-implemented in June 2002 due to pending budget cuts. Often the Department's percentage of time served requirements for male and female inmates has been different. The chart below tracks the percentage of time served by gender for the Sheriff's Percentage Release Program since 2007.



Source: Los Angeles Sheriff's Department Percentage vs. CBAC Releases



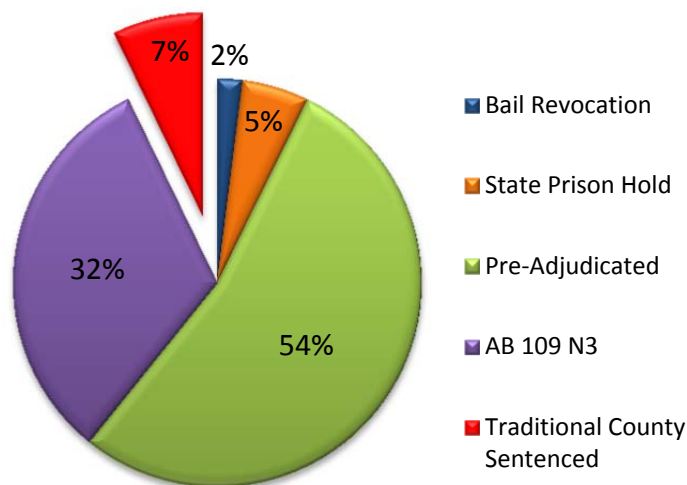
Current Conditions

Traditional County Sentenced (TCS) inmates are the only population that is included in the Percentage Release Program. TCS inmates serve varying percentages of their sentence depending on several factors:

- those who have failed in alternative to custody programs serve 100% of their sentence;
- those convicted of M7 charges (crimes considered serious or violent) serve 40% of their sentence;
- for Non-M7 crimes, males serve 20% of their sentence. Those Non-M7 males sentenced to less than 90 days are released.
- for Non-M7 crimes, females serve 10% of their sentence. Non-M7 females sentenced to less than 240 days are released.

At the time of the research and preparation of the Vanir Los Angeles County Jail Plan Independent Review and Comprehensive Report dated July 5, 2013, the LASD reported there were approximately 1,334 TCS inmates included in the Percentage Release Program out of the total inmate population of approximately 18,500. At that time, the Sheriff's Department estimated that if all TCS inmates served 100% of their sentence it would result in an additional 4,800 inmates in the jail system.

Inmate Population Groups



Bail Revocations inmates, State Prison Holds, Pre-Adjudicated Inmates and AB 109 N3 inmates are not eligible for the Percentage Release Program. AB 109 Inmates serve 100% of their sentence.



Number of Beds Needed to Increase Time Served

Currently, most TCS inmates serve between 10% and 40% of their sentence, depending on their gender and nature of their conviction. The Board has requested the number of additional beds that would need to be added to the jail system in the Jail Plan Options presented in the Los Angeles County Jail Plan Independent Review and Comprehensive Report, if the time served by Traditional County Sentenced inmates was increased to 50, 60, 70 and 75 percent of their sentences.

As part of the preparation of this report, the LASD developed updated projections for the number of additional inmates in the jail system if TCS inmates served an increased percentage of their sentence. According to the updated projections, the LASD is estimating that if all TCS inmates served 100% of their sentence it would result in an increase of 4,377 inmates in the jail system. In addition to the estimate for increasing percentage of time served to 100%, the Sheriff's Department also provided estimates in incremental increases. These estimates are included in Table 1 below. Based on the information provided by the LASD, together with analysis by Vanir, we have prepared the following estimate of the number of additional inmate beds required to be added to the Jail Plan Options for TCS inmates to serve a minimum of 50, 60, 70 and 75 percent of their sentence:

Table 1 - Number of Beds Required to Increase Time Served

Minimum Time Served	Number of Additional Inmates	Number of Additional Beds Including 10% Peaking/Classification
50%	1,549	1,704
60%	2,114	2,325
70%	2,680	2,948
75%	2,963	3,259

In addition to looking at the number of additional beds required to increase the percentage of time served, it is also important to include additional capacity necessary to address inmate classification, special custody requirements and fluctuations in population. Consistent with the Los Angeles County Jail Plan Independent Review and Comprehensive Report, typical jail management practices include a peaking and classification factor of 10% be applied to the number of additional beds required. Therefore, the total number of additional beds required for TCS inmates to serve a minimum of 50, 60, 70 and 75 percent of their sentence is shown in the column on the right hand side of Table 1 above.

Capital Costs for Additional Beds Needed to Increase Time Served

To develop capital costs associated with the number of additional beds identified in Table 1 - Number of Beds Required to Increase Time Served, we made the following assumptions:

- Capital costs are based on developing a new, freestanding jail facility on an available land parcel at the Pitchess Detention Center in the vicinity of PDC North.



- Parking is included for staff only; visitor parking is provided at the main gate.
 - New facility would utilize existing central kitchen and laundry facilities at PDC.
- New jail facility would include:
 - Inmate housing
 - Programs space
 - Storage
 - Health Clinic (i.e., routine, daily care)
 - Visitation Area
- New jail facility will not include specialized spaces or facilities for non-routine medical or mental health treatment (i.e., intensive program, acute or inpatient care).
- New jail facility would be medium/maximum security:
 - Consistent with the Los Angeles County Jail Plan Independent Review and Comprehensive Report options, the new facility would contain a mix of 54% cell beds and 46% dormitory beds.
 - Approximately 80% of cell beds will be in double cells; 20% of cell beds will be in single cells.
- New jail facility would be compliant with all applicable codes and regulations including Title 24 and Title 15 of the California Code of Regulations.
- New jail facility is assumed to be a male only facility; however it may be possible to accommodate female inmates depending on actual design.
- For conceptual cost estimating purposes escalation is included through the mid-point of construction.

Table 2 - Conceptual Capital Cost Estimates for the Number of Beds Required to Increase Time Served

Minimum Time Served	Number of Additional Beds Including 10% Peaking/Classification	Total Conceptual Project Capital Cost Estimate including Escalation
50%	1,704	\$359,683,000
60%	2,325	\$509,295,000
70%	2,948	\$598,418,000
75%	3,259	\$674,727,000

The conceptual project capital cost estimates identified in the table above include hard costs, soft costs and escalation to the mid-point of construction.

As an alternative to constructing additional beds, the Los Angeles County Jail Plan Independent Review and Comprehensive Report discussed other options to create additional inmate capacity. This additional capacity could be used to increase the percentage of time served for Traditional County Sentenced inmates. These other options include:



- Community Correctional Facilities such as Taft and Shafter. Each of these facilities has a capacity of approximately 500 inmates.
- Conservation (Fire) Camps. The LASD has been negotiating with CDCR to contract for 500 beds at five fire camps in Los Angeles County.

THE NUMBER OF BEDS NEEDED FOR THE COUNTY TO MEET THE FEDERAL MANDATE TO THE STATE OF 137 PERCENT FOR EACH FACILITY

Background

The State of California was the defendant in litigation that found the State did not provide State Prison inmates with constitutional access to mental health care (Coleman, 1994) and medical care (Plata, 2001). Based on a persistent history of non-compliance with court orders, in 2007 the Coleman and Plata cases were consolidated and assigned to a three-judge court to consider placing limits on California's prison population. The judges concluded that California prisons are unable to provide constitutionally-adequate medical care and mental health care due in part to severe overcrowding. The three-judge court ordered California to reduce its prison population to 137.5 percent of the system-wide design capacity.

History

When Vanir conducted research and analysis in March 2013 for the Los Angeles County Jail Plan Independent Review and Comprehensive Report, the County Jail population system-wide was 131.7% of the Board of State and Community Corrections (BSCC) rated capacity. Inmate populations for individual County Jail facilities for March 2013 are shown in the table below:

Table 3 – Existing County Jail Facilities Populations (March 2013)

	PDC East	PDC North	PDC South	NCCF	MCJ	TTCF	CRDF	IRC
Actual Inmate Population	1,373	1,081	1,405	3,895	4,464	3,838	2,088	278
BSCC Rated Capacity	926	768	846	2,208	5,108	2,244	1,668	336
Percent of Rated Capacity	148.2%	140.7%	166.0%	176.4%	87.4%	171.1%	125.2%	82.6%

Notes:

PDC - Pitchess Detention Center

MCJ - Men's Central Jail

CRDF – Century Regional Detention Facility

NCCF - North County Correctional Facility

TTCF – Twin Towers Correctional Facility

IRC – Inmate Reception Center



Jail Plan Options

The Los Angeles County Jail Plan Independent Review and Comprehensive Report contains five options for Board consideration. The options propose various combinations of a dedicated mental health and substance abuse treatment facility; re-use of existing County jail facilities currently out of service; dedicated facilities for female inmates; and closure and demolition of Men's Central Jail. In addition, the inmate populations in the existing jail facilities shown in Table 3 are re-allocated to more closely align the security needs of the inmate population with dormitory beds and cells in the existing facilities. Based on this re-allocation, the inmate populations in the existing County jail facilities in the Jail Plan Options are as shown in Table 4 below. These population numbers are the same for all five of the proposed Jail Plan Options.

Table 4 – Existing County Jail Facilities Populations – Jail Plan Options (Proposed)

	PDC East	PDC North	PDC South	NCCF	MCJ	TTCF	CRDF	IRC
Proposed Inmate Population	1,152	1,382	988	3,384	0	3,927	1,868	302
BSCC Rated Capacity	926	768	846	2,208	0	2,244	1,668	336
Percent of Rated Capacity	124.4%	180.0%	116.8%	153.3%	-	175.0%	112.0%	89.9%

Notes:

PDC - Pitchess Detention Center

MCJ - Men's Central Jail

CRDF – Century Regional Detention Facility

NCCF - North County Correctional Facility

TTCF – Twin Towers Correctional Facility

IRC – Inmate Reception Center

It should be noted that in the various Jail Plan Options, all new facilities or closed facilities to be re-opened would be designed to operate at 90% of BSCC capacity.

Table 5 below offers a direct comparison between the Federal Court mandate to the State of California to decrease the total prison population to 137.5% of the system-wide design capacity and the system-wide capacity of the five options contained in the Los Angeles County Jail Plan Independent Review and Comprehensive Report.

Table 5 – Comparison between State Prison System Capacities and the Los Angeles County Jail Plan Options

Federal Mandate to State Prison System	Option 1A	Option 1B	Option 2	Option 3	Option 4
137.5%	124.2%	124.5%	124.5%	124.2%	120.3%



Additional Beds Needed to Meet 137.5% of Capacity

At the July 16, 2013 Board meeting the Supervisors requested that Vanir identify the number of additional beds needed for the County to meet the Federal mandate to the State of 137.5% of capacity on a per facility basis as opposed to on a system-wide basis. Per Table 4 above, in all of the Jail Plan Options three existing County jail facilities would exceed the Federal mandate to the State of 137.5% of capacity. The three facilities that exceed 137.5% capacity are:

**Table 6 – Existing Facilities in Jail Plan Options
that would Exceed 137.5% Capacity**

Facility Name	% of Capacity
PDC North	180.0%
NCCF	153.3%
TTCF	175.0%

While some existing facilities are below 137.5% capacity, it is not possible to shift inmate population from the three facilities that exceed this capacity to these other facilities without using the “non-traditional” bunks. As discussed in the Los Angeles County Jail Plan Independent Review and Comprehensive Report, these bunks represent significant risk to the County and the elimination of these bunks was one of the critical needs identified in the report. In order for the three facilities identified in Table 6 to meet the requested maximum BSCC capacity of 137.5%, the number of inmates proposed to be housed at these facilities will need to be reduced.

Table 7 that follows shows the inmate population that was proposed in the Jail Plan Options, the revised inmate population required to meet 137.5% of capacity, and the number of beds difference between the two.

Table 7 – Additional Beds Required by Facility to Meet 137.5% Capacity

	PDC North	NCCF	TTCF
Jail Plan Options Proposed Inmate Population	1,382	3,384	3,927
Revised Inmate Population to meet 137.5% Capacity	1,045	3,006	3,055
Additional Beds Required to meet 137.5% Capacity	337	378	872

In addition to looking at the number of additional beds required to meet 137.5% of BSCC rated capacity, it is also important to include additional capacity necessary to address inmate classification, special custody requirements and fluctuations in population. Consistent with the Los Angeles County Jail Plan Independent Review and Comprehensive Report, typical jail management practices include a peaking and classification factor of 10% be applied to the number of additional beds required. The total number of additional beds required for PDC North,



NCCF and TTCF in the Jail Plan Options to meet 137.5% of BSCC rated capacity is shown in Table 8 below.

Table 8 – Total Additional Beds Required by Facility to Meet 137.5% Capacity

Minimum Time Served	Number of Additional Beds	Number of Additional Beds Including 10% Peaking/Classification
PDC North	337	371
NCCF	378	416
TTCF	872	959
Total Number of Additional Beds		1,746

Adding the 1,746 beds identified in Table 8 would enable all jail facilities for all of the Jail Plan Options proposed in the Los Angeles County Jail Plan Independent Review and Comprehensive Report to meet or exceed a maximum capacity of 137.5%.

The Vanir Report to the Board discussed other options to create additional inmate capacity or reduce the inmate population. These options could be used to decrease the inmate population at the three existing facilities identified in Table 6. These other options include:

- Community Correctional Facilities such as Taft and Shafter. Each of these facilities has a capacity of approximately 500 inmates.
- Conservation (Fire) Camps. The LASD has been negotiating with CDCR to contract for 500 beds at five fire camps in Los Angeles County.

Several factors should be considered when applying the Federal mandate to the State of 137.5% to the County Jail system:

- The Federal Mandate to the State to limit the prison system-wide inmate population to 137.5% of design capacity was based on inmate access to timely and appropriate medical and mental health care.
- The Federal Mandate to limit the State Prison system inmate population to 137.5% of design capacity is applied system-wide and not to individual institutions.
- There is no recognized standard in excess of the BSCC rated capacity for County jail facilities.